

WSR 21-11-031
PREPROPOSAL STATEMENT OF INQUIRY
EMPLOYMENT SECURITY DEPARTMENT

[Filed May 12, 2021, 8:30 a.m.]

Subject of Possible Rule Making: In 2020, the legislature enacted SHB 2308, which goes into effect on October 1, 2021, and requires employers to include the standard occupational classification (SOC) code or job title of each worker in their quarterly tax reports to the employment security department (ESD). ESD is seeking to adopt rules that implement the requirement for employers to report SOC codes or job titles for workers when reporting.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 50.12.010 and 50.12.040 provide general rule-making authority to ESD. SHB 2308, section 2, is the law requiring employers to include the SOC code or job title of each worker in their quarterly tax reports to ESD.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: ESD seeks to provide clear and usable guidance for the public regarding reporting requirements for SOC and job titles.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Labor (USDOL) reviews the state's administration of the unemployment insurance program to ensure conformity to federal statutes and regulations. The state has broad flexibility in the implementation of the unemployment insurance laws so long as conformity is maintained. The proposed regulations will be shared with USDOL prior to adoption.

Process for Developing New Rule: Draft rules will be shared with the public and stakeholders. The department will solicit input from all parties and consider all comments in the development of final rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Joshua Dye, P.O. Box 9046, phone 360-890-3472, fax 844-652-7096, TTY relay 711, email Rules@esd.wa.gov, website <https://esd.wa.gov/newsroom/rulemaking/benefits>.

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